IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 6648 of 2005

Between:

1. Sri Gone Dayasali, S/o.Rubenu,
R/o.Laxmi Narasimha Puram, H/o.Ilapuram, Nandivada Mandal, Krishna District.
2. Smt.G.Nirmala, W/o.Nageswara Rao,
R/o.Laxmi Narasimha Puram, H/o.Ilapuram, Nandivada Mandal, Krishna District.
3. Sri Nanupatruni Ramasatyanarayana, S/o.Lakshmana Swami,
R/o.Laxmi Narasimha Puram, H/o.Ilapuram, Nandivada Mandal, Krishna District.
4. Sri Badani Satyanarayana, S/o.Tavitaiah,
R/o.Laxmi Narasimha Puram, H/o.Ilapuram, Nandivada Mandal, Krishna District.
5. Sri Metta Satyanarayana, S/o.Suryanarayana,
R/o.Laxmi Narasimha Puram, H/o.Ilapuram, Nandivada Mandal, Krishna District.
6. Sri Guruelli Venkata Rao, S/o.Chinnamma Naidu,
R/o.Lakshmi Narasimha Puram, H/o.Ilapuram, Nandivada Mandal, Krishna District.
7. Sri Birlangula Lakshmaiah, S/o.Veeresu,
R/o.Laxmi Narasimha Puram, H/o.Ilapuram, Nandivada Mandal, Krishna District.

... PETITIONERS

AND

1 The District Collector, Krishna District.
2 The Revenue Divisional officer, Kaikalur, Krishna District.
3 The Mandal Revenue officer, Nandivada Mandal, Krishna District.
4 Sri Kunaparaju Ranga Raju, S/o.Rajam Raju,

R/o.Behind Co-op Central Bank, Eluru, West Godavari District.

5 Sri Kunaparaju Venkata Subba Raju, S/o.Rajam Raju,
R/o.behind Co-op Central Bank, Eluru, West Godavari District.

6 Sri Boddupalli Nageswara rao, S/o.Appaiah,
R/o.Kakingipeta, H/o.Ilaparru, Nandivada Mandal,
Krishna District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the respondent authorities in not taking any action of the respondent authorities in not taking any action against the representation made by the petitioners dated 10-03-2005 & 14-03-2005 against the respondents 4 to 6 in unauthorisedly raising the bund around Ac.170 where petitioners are allotted D-pattas in part of Sy.Nos.785, 786, 787, 778, 788, 757, 756, 768, 775, 773, 760, 761, 779, 784, 780 admeasuring an extent of Ac.2.47, 2.50, 2.30, 1.98, 3.50, 2.00 & 1.23 cents of the petitioners respectively in the village of Lakshi Narasimhapuram, H/o Ilaparru, Nandivada Mandal, Krishna District, and not allowing the petitioners to cultivate their lands, as arbitrary, illegal, null and void and is against the principles of natural justice and to issue a consequential direction to the official respondent authorities to remove the bund raised by the Respondents 4 to 6 surrounding between kotha Gudameru water source on the North and on the south old Gudameru water source and on West Puntha and on east Nandhigama Lanka village Ayacut land in an extent of Ac.170 where petitioners are allotted D-pattas in the village of Lakshi Narasimhapuram, H/o.Ilaparru, Nandivada Mandal, Krishna District.

Counsel for the Petitioners: MR.VENKATESWARA RAO GUDAPATI

Counsel for the Respondents 1 to 3: GP FOR REVENUE

The Court at the stage of admission made the following:

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ORDER:

This writ petition is filed aggrieved by the alleged inaction on the part of the third respondent-Mandal Revenue Officer in considering the representations made by the petitioners dated 10-03-2005 and 14-03-2005 complaining that the respondents 4 to 6 have unauthorizedly occupied the Government land and have been raising a bund around Ac.170 of land wherein the petitioners were allotted 'D' form pattas in part of in Sy.Nos.785, 786, 787, 778, 788, 757, 756, 768, 775, 773, 760, 761, 779, 784, 780 admeasuring an extent of Ac.2.47, 2.50, 2.30, 1.98, 3.50, 2.00 & 1.23 cents respectively in the Village of Lakshi Narasimhapuram, H/o Ilaparru, Nandivada Mandal, Krishna District. It is alleged that though they made representations bringing to the notice of the third respondent-Mandal Revenue Officer the highhanded and illegal activities of the respondents 4 to 6, he failed to consider the same and no steps have been taken so far.

Having heard the learned counsel for the petitioners, the learned Government Pleader for Revenue appearing for the respondents 1 to 3 and keeping in view the representations made by the petitioners are pending before the third respondent, the writ petition is disposed of with a direction to the third respondent-Mandal Revenue Officer to consider the representations of the petitioners dated 10-03-2005 and 14-03-2005 and pass appropriate orders, in accordance with law, after affording due opportunity to the respondents 4 to 6 to rebut the allegations made by the petitioners, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of. No order as to costs.

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G. ROHINI, J

Dated: 29-03-2005

Note: Frunish C.C. in three days.

B/o.

LSK

ASSISTANT REGISTRAR

To

1 The District Collector, Krishna District.
2 The Revenue Divisional officer, Kaikalur, Krishna District.
3 The Mandal Revenue officer, Nandivada Mandal, Krishna District.
4 Two C.Cs. to the G.P. for Revenue, High Court Buildings, Hyderabad.

5 Two C.D. copies.